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September 22, 2005

Ms. Marlene Dortch, Esq.  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, Southwest  
Washington, DC 20554

Re: Support of Region 8 (Tri-State) Petition for Reconsideration of FCC Docket Number 02-55

Dear Ms. Dortch,

The New York State Police, as a member agency, strongly supports the Petition for Reconsideration filed by Region 8 on January 20, 2005, regarding the interim interference protection standards afforded NSPSC licensees during the 800 MHz rebanding period.

This agency supports the engineering data provided to the FCC by the Committee. This data indicates a severe loss of coverage would be experienced by Public Safety agencies wherever interference is allowed to increase by 16 db to the interim standard. It is of utmost importance for our officers to be able to communicate; both for their own safety and for the safety of the public we serve.

During the Regional Committee allocation process, careful planning took place to insure that each agency received the spectrum it needed, without having excess that would limit another user's ability to license spectrum. There is not adequate reserve signal within these systems to overcome the approved additional interference. Experiencing interference at the interim levels means that there will be areas where officers will either not hear or not be heard by their systems.

The New York State Police support the Region 8 position that the FCC require interference levels during the rebanding process be held to the post-rebanding levels. Public Safety cannot afford to have officers in the field that are orphaned by radio interference. This is the very problem that initiated the rebanding process. The New York State Police request that the Commission grant the relief requested in the Petition for Reconsideration.

Respectfully Submitted,

Captain Carl W. Carlton  
Director of Communications

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